

HW 005-98



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State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
120 Rt. 156, Yardville, N.J. 08620

DII. MARWAN M. SADAT, P.E.
DIRECTOR

LINO F. PERILLI
DEPUTY DIRECTOR

DEC 20 1984

Chevron Company, USA
750 Floral Avenue
Elizabeth, NJ

Attention: Mr. Sherrur

Re: Penalty Settlement Offer

Dear Mr. Sherrur:

Attached is an Administrative Order concerning a violation of the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq and regulations promulgated thereunder, specifically N.J.A.C. 7:26-7.4(a)3, 4, 5.

Pursuant to the terms of the Administrative Order, the violations must be corrected and the rules and regulations of this Department must be complied with by the specified date.

In addition, a penalty settlement offer of \$100 will be held open until **JAN 3 1985** to allow for an amicable resolution of this statutory claim for the referenced violation. Be advised that N.J.S.A. 13:1E-9c provides for a maximum civil penalty of \$25,000 per day for violations of this nature.


In the event of non-compliance with the Administrative Order and/or non-acceptance of this penalty settlement offer, this matter will be referred to the Office of the Attorney General for the initiation of litigation to enforce the Order and seek the full penalties allowed by law.

Should you wish to discuss the specifics for acceptable compliance with these directives, contact Joseph DeSantis at (609) 292-0967.

Chevron Company, USA
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Be advised that such discussion will not automatically delay or otherwise extend the deadline for compliance with the Administrative Order.

Very truly yours,


Joseph A. Rogalski
Assistant Director
Field Operations, Compliance
and Enforcement

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Attachments



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

120 Rt. 156, Yardville, N.J. 08620

HW 00598
DIL. MARWAN M. SADAT, P.E.
DIRECTOR

LINDA P. BROWN
DEPUTY DIRECTOR

DEC 20 1984

IN THE MATTER OF
CHEVRON COMPANY

ADMINISTRATIVE
ORDER

The following FINDINGS are made and ORDER is issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (Department) and duly delegated to the Assistant Director for Enforcement and Field Operations, Division of Waste Management, under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

FINDINGS

- 1) Chevron Company (hereinafter referred to as Chevron) is a generator of hazardous waste as defined by N.J.S.A. 13:1E-3(h) and N.J.A.C. 7:26-1.4, (EPA ID #NJDO61071544) located at 330 Front Street, Block 4, Lot 1463, City of Elizabeth, County of Union, New Jersey.
- 2) On August 3, 1984 during the course of a routine manifest audit, a Departmental representative observed the following violations:

N.J.A.C. 7:26-7.4(a)3,4,5: Chevron failed to prepare a manifest which provides for all information and signatures of authorization required by the referenced regulations, prior to allowing hazardous waste to leave their property (please refer to manifest #NJ0221500 for details).

ORDER

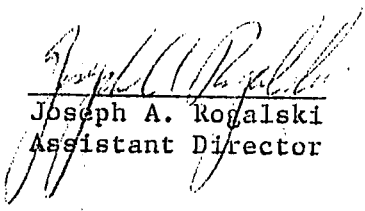
NOW, THEREFORE, IT IS HEREBY ORDERED that Chevron, its principals, agents, employees, successors, assigns, tenants, and any receiver or trustee in bankruptcy, (should such an entity be appointed to take control of the facility which is the subject of this Order) shall:

- 3) Immediately comply with N.J.A.C. 7:26-7.4(a)3, 7.4(a)4, 7.4(a)5 by always preparing the appropriate manifest form for all future shipments of hazardous waste prior to allowing said waste shipments to leave your property.

- 4) Submit within fifteen (15) calendar days of receipt of this ORDER a copy of manifest #NJ0221500 that includes corrected information.
- 5) Submit within fifteen (15) calendar days of receipt of this ORDER an affidavit identifying the actions taken to correct the violations cited in paragraph 2.

Should you have any questions regarding this matter, contact Joe DeSantis at (609) 292-0967.

BE ON NOTICE that the maximum civil penalty for violations of the Solid Waste Management Act on an ORDER issued pursuant thereto is \$25,000 per day.


Joseph A. Rogalski
Assistant Director

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